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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/840,188 Confirmation No.: 7264
Applicant : Mark L. MATHIS et al.
Filing Date : May 5, 2004
Title : Device and Method for Modifying the Shape of a Body Organ
Group Art Unit : 3731
Examiner : Tuan Van NGUYEN
Docket No. : 10057-719.201
Customer No. : 66854

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313
Sir:

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Introductory Comments:

This Response addresses the Notice of Non-Compliant Amendment (37 CFR 1.121), dated November 23, 2009, for which a response is due December 23, 2009. A request for extension of time, up to and including **March 23, 2010**, accompanies this response.

Please consider the remarks as follows.

Remarks begin on page 2 of this paper.